

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

TIMOTHY COX,

Plaintiff,

vs.

CAROLYN W. COLVIN,

Acting Commissioner of Social Security,

Defendant.

No. 1:15-cv-03099-MKD

ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND

ECF No. 26

The Court has considered the parties' stipulated motion for remand. The parties have consented to proceed before a magistrate judge. ECF No. 6.

IT IS ORDERED that the motion, **ECF No. 26**, is **GRANTED**. The Commissioner's decision is reversed and remanded for further administrative proceedings, in accordance with sentence four of 42 U.S.C. § 405(g).

Upon remand, an Administrative Law Judge shall offer plaintiff an opportunity for a de novo hearing and a new decision with respect to Plaintiff's applications for disability insurance benefits and supplemental security income

1 payments under Titles II and XVI of the Social Security Act. On remand, the ALJ  
2 should solicit testimony from Plaintiff concerning the entire period at issue  
3 (including concerning Plaintiff's Title XVI claim), allow Plaintiff an opportunity to  
4 update the record, and should reconsider the sequential evaluation process.

5 This Court reverses the Commissioner's decision pursuant to sentence four  
6 of 42 U.S.C. § 405(g) with a remand of the case to the Commissioner for further  
7 proceedings.

8 Upon proper application, Plaintiff shall be eligible for attorneys' fees under  
9 the Equal Access to Justice Act, 24 U.S.C. § 2412 et seq.

10 The District Court Executive is directed to enter judgment for Plaintiff, file  
11 this Order, provide copies of this Order to the parties, and **CLOSE** the file.

12 **DATED** June 20, 2016.

13 s/Mary K. Dimke  
14 MARY K. DIMKE  
UNITED STATES MAGISTRATE JUDGE